

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

6500 CHERRYWOOD LANE
GREENBELT, MARYLAND 20770
301-344-0632

MEMORANDUM

TO: Counsel of Record
FROM: Judge Peter J. Messitte
RE: Bolds-Johnson v. MedStar S. Md. Hosp. Ctr., Inc., et al.,
No. 24-cv-428
DATE: July ²⁴ , 2024

* * *

On July 23, 2024, the Court held a hearing on Defendant Medstar Southern Maryland Hospital Center, Inc. and MedStar Medical Group, LLC (“MedStar”)’s Second Motion to Dismiss (ECF No. 30), its Motion for Sanctions (ECF Nos. 31, 40), and a Corrected Motion to Withdraw as Counsel filed by *pro hac vice* counsel for Plaintiff (ECF No. 35). MedStar had previously filed a Motion to Dismiss (ECF No. 13), the disposition of which the Court previously deferred (*see* ECF No. 29). At the time of today’s hearing, all Motions were fully briefed.

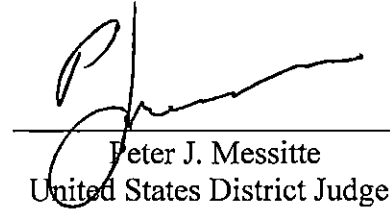
For the reasons stated on the record at the hearing, the Court **ORDERS**:

1. Plaintiff **SHALL**, within seven (7) days of this Order, file an Amended Complaint that names the proper defendant in this suit, her actual former employer, MedStar Medical Group **II**, LLC, and **SHALL** omit her claims against any currently named Defendant;
 - a. The Amended Complaint **SHALL NOT** contain any new substantive allegations; however,
 - b. Counsel for Plaintiff **SHALL** remove any allegations regarding Defense Counsel’s conduct, especially those allegations implying that MedStar or its attorney in any way “caused” Plaintiff’s cancer or exacerbated her symptoms, unless such allegations are supported by affidavit, filed contemporaneously with the Amended Complaint and signed under penalty of perjury by a competent medical professional attesting to this supposed “causation”;
 - c. Within twenty (20) days after Plaintiff files her Amended Complaint, MedStar **SHALL** file a response to Plaintiff’s Amended Complaint;¹
 - d. Plaintiff **SHALL** have twenty (20) days thereafter to file a reply to MedStar’s response, if any; and

¹ Medstar’s forthcoming response to Plaintiff’s Amended Complaint will be deemed a supplement to its already-filed Motions to Dismiss.

2. The Court **DEFERS** ruling on MedStar's Motion to Dismiss (ECF No. 13), and Second Motion to Dismiss (ECF No. 30), and will resolve these Motions by Memorandum Opinion after the aforementioned supplemental briefing occurs;
3. The Court **DENIES WITHOUT PREJUDICE** MedStar's Motion for Sanctions (ECF Nos. 31, 40); and
4. The Court **GRANTS** Attorney Robinson's Corrected Motion to Withdraw as Counsel (ECF No. 35).

Despite the informal nature of this ruling, it shall constitute an Order of the Court and the Clerk is directed to docket it accordingly.



Peter J. Messitte
United States District Judge

CC: Court file
Counsel of Record